IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WRS, INC. d/b/a WRS MOTION PICTURE LABORATORIES, a corporation,

Plaintiff,

vs.

PLAZA ENTERTAINMENT, INC., a corporation, ERIC PARKINSON, an individual, CHARLES von BERNUTH, an individual and JOHN HERKLOTZ, an individual,

Defendants.

C.A. No. 2:00-2041

Judge Arthur J. Schwab

PETITION OF PLAINTIFF, WRS, INC., FOR SUPPLEMENTAL RELIEF IN AID OF EXECUTION OF ITS JUDGMENT AGAINST JOHN C. HERKLOTZ PURSUANT TO F.R.C.P. 69 AND Pa. R.C.P. 3118

AND NOW comes WRS, Inc., by and through its counsel, Thomas E. Reilly, P.C., with the following Petition for Supplemental Relief in Aid of Execution:

1. Plaintiff and Petitioner is the Judgment Creditor of the Defendant, John C. Herklotz, on a Judgment entered in the amount of $2,584,749.03.

2. Although Defendant, Herklotz, appealed the Judgment to the Third Circuit as of the date of this Motion, Herklotz has not posted a supersedes bond or otherwise sought a stay of execution proceeding to enforce the aforesaid Judgment.

3. Based upon information received from Herklotz and Herklotz's counsel during discussions regarding a potential supersedes, Herklotz disclosed that he was the sole shareholder of the Tesuque Radio Company that owns certain rights in various radio towers used in the wireless communications industry.

4. Based upon information received from Herklotz and through Herklotz's counsel, Plaintiff believes, and therefore avers, that the Certificate of Stock for Herklotz's share of the Tesuque Radio Company has been pledged to Respondent, Wells Fargo & Company, to secure a loan having a current outstanding balance of approximately $140,000.00.

5. One of the towers owned and operated by the Tesuque Radio Company has been listed for sale with a broker for approximately $3,900,000.00.

6. Based upon the listing, Plaintiff believes, and therefore avers, that Herklotz's interest in the Tesuque Radio Company has sufficient value to satisfy in full the Judgment, plus additionally accrued interest, additional counsel fees, and costs of the Judgment entered in the within matter.

7. F.R.C.P. 69 provides supplemental relief in aid of execution as provided in the State Court in which the District Court is located.

8. Pa. R.C.P. 3118 provides that upon Petition and after notice and hearing, the Court in which the Judgment has been entered may before, or after, issuance of a Writ of Execution enter an Order against any person or party enjoining the transfer, removal, conveyance, assignment, or other disposition of property, of the Defendant subject to execution.

9. Pa. R.C.P. 3118(6) grants such other relief as may be deemed necessary and proper.

10. Plaintiff respectfully submits that pursuant to Pa. R.C.P. 3118(2) the Court may enjoin Defendant, Herklotz, from transferring, or otherwise encumbering, his shares of stock in the Tesuque Radio Company pending execution proceedings.

11. Pursuant to F.R.C.P. 69 and Pa. R.C.P 3118(6), the Court may require Herklotz to disclose the Wells Fargo & Company location in possession of the Stock so that Wells Fargo may likewise be joined in these proceedings for Supplemental Relief and enjoined from transferring the stock.

12. Pursuant to F.R.C.P. 69 and Pa. R.C.P. 3118(6), Plaintiff submits that the Court may upon disclosure of the specific location of Wells Fargo and Company in possession of the Shares, direct Wells Fargo & Company subject to their unpaid interest of $140,000.00 to deliver the shares of stock to the United States Marshall for levy and sale.

13. Upon entry of an Order enjoining Herklotz from transferring the stock and directing that he disclose the specific name and address of Wells Fargo & Company that possesses his pledged shares of stock, Plaintiff will file a subsequent petition with respect to Wells Fargo & Company and issue a Writ of Execution for levy against Defendant, Herklotz, to levy and sell his shares of stock in the Tesuque Radio Company.

WHEREFORE, WRS, Inc., respectfully requests that this Court enter an Order enjoining Defendant, Herklotz, from transferring, assigning, or otherwise disposing of, the shares of stock of Defendant, John C. Herklotz, in the Tesuque Radio Company and, further, that John C. Herklotz, through his counsel within 10 days of the date of the Order shall disclose to Plaintiff's counsel the name, address, location, and other contact information, for the Wells Fargo & Company person in possession of the shares of stock or, in the alternative, that John C. Herklotz be directed upon entry of an Order to deliver or cause Wells Fargo & Company to deliver the shares of stock to the United States Marshall in Pittsburgh, Pennsylvania for levy and sale to enforce the Judgment entered in the within matter.

Respectfully submitted,

THOMAS E. REILLY, P.C.

BY: /s/ Thomas E. Reilly

Thomas E. Reilly, Esquire
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CERTIFICATE OF SERVICE

I, Thomas E. Reilly, Esquire, hereby certify that a true and correct copy of the Petition was delivered via U.S. Regular Mail on the _9th_ day of __November___, 2007 to the following:

John P. Sieminski, Esquire
Burns, White & Hickton
Four Northshore Center
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THOMAS E. REILLY, P.C.

BY: ___/s/ Thomas E. Reilly___
Thomas E. Reilly, Esquire